

MOTOR CARRIERS

CHAPTER 500

INTERSTATE REGISTRATION AND OPERATION OF VEHICLES

[Prior to 6/3/87, Transportation Department[820]—(07,F) Ch 1]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

761—500.1(326) Definitions. The definitions in Iowa Code sections 326.2 and 326.3 apply to this chapter. In addition:

“*Distance schedule*” means the department form used to report fleet distance.

“*IRP*” means the International Registration Plan as defined in Iowa Code section 326.2.

“*Qualified registrant*” means a motor carrier who has received written approval by the department to self-certify IRP credential destruction.

“*Self-certification of IRP credential destruction*” means a signed statement that is completed by a qualified registrant certifying the date the IRP credentials have been destroyed.

“*Temporary evidence of apportioned registration*” means a document issued by the department that describes the vehicle and lists the weight for each jurisdiction in which the vehicle is registered for operation and allows the vehicle to be operated.

“*Vehicle schedule*” means the department form used to report vehicle registration information.

This rule is intended to implement Iowa Code sections 326.2, 326.3, 326.15 and 326.33.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.2(17A,326) General information.

500.2(1) *Information and location.* Applications, forms and information on interstate registration and operation of vehicles are available on the department’s website at www.iowadot.gov, by mail from the Vehicle and Motor Carrier Services Bureau, Iowa Department of Transportation, P.O. Box 10382, Des Moines, Iowa 50306-0382; in person at 6310 SE Convenience Blvd., Ankeny, Iowa; by telephone at (515)237-3268; by facsimile at (515)237-3225; or by email at omcs@iowadot.us.

500.2(2) *Method of operation.* The operations of the department’s motor vehicle division relating to reciprocity and apportioned registration shall be conducted in accordance with the IRP and Iowa Code chapters 321 and 326.

500.2(3) *Organizational data.* The vehicle and motor carrier services bureau of the motor vehicle division is authorized pursuant to Iowa Code chapter 326 to:

a. Enter into reciprocity apportioned registration agreements with other jurisdictions. The department is a member of the IRP. The IRP and any revisions thereto are hereby incorporated into this chapter. A copy of the agreement may be obtained by contacting the vehicle and motor carrier services bureau or at www.irponline.org. Under this agreement, the vehicle and motor carrier services bureau shall do all of the following:

(1) Compute and collect apportionable fees due this state under apportioned registration agreements.

(2) Issue registration plates, validation stickers, cab cards, temporary evidence of apportioned registration, and trip permits to qualified registrants.

(3) Enter into reciprocity agreements with other jurisdictions. These agreements exempt nonresidents from the registration and registration fee requirements of Iowa Code chapter 321.

This rule is intended to implement Iowa Code sections 17A.3, 326.5 and 326.6.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.3(17A,326) Waiver of rules. In accordance with 761—Chapter 11, the director of transportation may, in response to a petition, waive provisions of this chapter. A waiver shall not be granted unless the director finds that special or emergency circumstances exist. “Special or emergency circumstances” means one or more of the following:

500.3(1) Circumstances where the movement is necessary to cooperate with cities, counties, other state agencies or other states in response to a national or other disaster.

500.3(2) Circumstances where the movement is necessary to cooperate with national defense officials.

500.3(3) Circumstances where the movement is necessary to cooperate with public or private utilities in order to maintain their public services.

500.3(4) Circumstances where the movement is essential to ensure safety and protection of any person or property due to events such as, but not limited to, pollution of natural resources, a potential fire or explosion.

500.3(5) Circumstances where weather or transportation problems create an undue hardship for citizens of the state of Iowa.

500.3(6) Circumstances where movement involves emergency-type vehicles.

500.3(7) Uncommon or extraordinary circumstances where the movement is essential to the existence of an Iowa business and the move may be accomplished without causing undue hazard to the safety of the traveling public or undue damage to private or public property.

This rule is intended to implement Iowa Code sections 17A.9A and 326.33.

761—500.4(326) Renewal for IRP registration. Renewal reminder notices are sent electronically or by mail at least 60 days prior to the registration expiration date to all registrants who maintained an active IRP fleet with Iowa during that year. A registrant may request a renewal reminder notice to be sent by mail. The renewal is made available online at least 60 days prior to the registration expiration date and can be accessed on the department's website.

500.4(1) The renewal must include:

a. A completed and signed distance schedule and vehicle schedule(s). The schedules can be filed and signed either electronically or on paper.

b. Title documentation, if necessary.

c. One of the following:

(1) Receipted federal heavy vehicle use tax (Form 2290 Schedule 1) for vehicles with a taxable gross weight of 55,000 pounds or more.

(2) A copy of Form 2290 Schedule 1 and sufficient documentation of payment of the tax due at the time Form 2290 was filed. The documentation can include, but is not limited to, a photocopy of both sides of a canceled check, a bank statement indicating the amount of tax paid and electronic acknowledgment indicating a payment of tax, and an Internal Revenue Service printout of the taxpayer's account showing the amount of tax paid.

500.4(2) Additional renewal procedures.

a. Vehicles may be deleted from the fleet at the time of renewal. Operating a vehicle with credentials marked as deleted shall result in the registrant being responsible for any fees assessed including any applicable penalty. Operating a vehicle with credentials that were self-certified as destroyed shall result in suspension of the self-certification privilege.

b. Units being stored shall be marked "stored" on the renewal vehicle schedule and the plates, cab cards and validation stickers must be returned in accordance with rule 761—500.5(321).

c. Vehicles may be added at the time of renewal. Upon payment of required fees, an applicant must apply for a temporary evidence of apportioned registration to be issued to operate a vehicle in accordance with the IRP. The department may extend the temporary evidence of apportioned registration if there are extenuating circumstances beyond the applicant's control.

d. When the registrant is seeking a refund in accordance with Iowa Code section 326.15 for vehicles deleted at the time of renewal, the annual and permanent registration plates and validation stickers must be returned to the vehicle and motor carrier services bureau.

This rule is intended to implement Iowa Code sections 326.6, 326.11, 326.12, 326.14 and 326.15.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.5(321) Deadline for placing a vehicle in storage. The registrant of a currently registered vehicle may at any time request that a vehicle be put into storage. The registrant must complete a vehicle schedule and return it with the plate, cab card and validation sticker to the vehicle and motor carrier services bureau. The vehicle schedule, plate, cab card and sticker must be received or postmarked on or

before the registration expiration date to stop the registration fee from being assessed for the renewal year. The vehicle and motor carrier services bureau shall destroy the plate and return the cab card to the registrant with the word “stored” stamped on it. Placing the vehicle in storage stops penalties on registration fees. When the vehicle is taken out of storage, the vehicle shall be assessed for the current annual registration fee.

This rule is intended to implement Iowa Code sections 321.126 and 321.134.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.6(321,326) Payment, delinquency and suspension.

500.6(1) Payment shall be made payable to the Iowa Department of Transportation by cash, check, credit card, or any other means offered by the department. Payment shall be due 30 calendar days from the invoice date. However, renewal invoices shall be due 30 calendar days from the invoice date or by the last day of the registration expiration month, whichever is later.

500.6(2) Invoices not paid by the due date shall be assessed a late payment penalty as provided in Iowa Code sections 326.14 and 326.16. The same penalty amount will be assessed the first of each month thereafter until the total invoice and all penalties are paid in full.

500.6(3) A delinquency notice shall be sent on invoices 30 calendar days overdue. The department shall send a delinquency notice stating the IRP registration shall be suspended unless payment is received within 30 calendar days from the date of the delinquency notice. If payment is not received in a timely manner, a notice of suspension shall be sent to the registrant. When a registrant is under suspension, all of the registrant’s Iowa-based IRP vehicles shall be suspended.

This rule is intended to implement Iowa Code sections 326.10A, 326.14 and 326.16.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.7(326) Self-certification of IRP registration plate and validation sticker destruction.

500.7(1) In order to request a refund for unused registration fees, unless the registrant qualifies to self-certify destruction under this rule, plates and validation stickers must be returned to the department when a vehicle is deleted from the fleet. A registrant must meet all of the following requirements to qualify for department approval to self-certify destruction of IRP credentials:

a. A minimum of five years’ experience with IRP registration.

b. A satisfactory IRP payment history. A satisfactory payment history includes, but is not limited to, no suspension of IRP registration in the last five years due to late payment or returned check because of insufficient funds.

c. A satisfactory rating from the U.S. Department of Transportation in the previous five years.

500.7(2) A motor carrier subject to a federal out-of-service order in the current year or any of the four prior years shall not be eligible to self-certify IRP credential destruction.

This rule is intended to implement Iowa Code section 326.15.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.8(326) IRP credentials. Upon payment of appropriate fees and submission of all required documentation, the vehicle and motor carrier services bureau shall issue one IRP plate for each power unit to be mounted on the front of the power unit, one trailer plate to be mounted on the rear of the trailer, and one cab card for each power unit. The cab card may be in either a physical or electronic format.

This rule is intended to implement Iowa Code section 326.14.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.9(326) Nonrenewal vehicle additions. A registrant may add a vehicle to the fleet at any time after the commencement of the registration year. Upon payment of required fees, temporary evidence of apportioned registration may be issued to operate the vehicle(s). The temporary evidence of apportioned registration shall not exceed 45 days. However, the department may extend the temporary evidence of apportioned registration for up to a total of 60 days if there are extenuating circumstances. Once temporary evidence of apportioned registration is issued and used, fees shall be due and the invoice may only be canceled if an error was made by the department or there were extenuating circumstances for which nonuse can be proven.

This rule is intended to implement Iowa Code section 326.11.
[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.10(326) Nonrenewal vehicle deletions. A registrant may delete vehicles from the fleet at any time after the commencement of the registration year. The plates and validation stickers must be returned to the vehicle and motor carrier services bureau at the time of deletion. In lieu of returning the plates and validation stickers, a qualified registrant under rule 761—500.7(326) may submit a self-certification of IRP credential destruction on or before the vehicle(s) deletion date to the vehicle and motor carrier services bureau. Operating a vehicle with credentials that were self-certified as destroyed shall result in suspension of the self-certification privilege, and the registrant shall be responsible for any additional fees that would have been due beyond the stated destruction date.

This rule is intended to implement Iowa Code sections 326.12 and 326.15.
[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.11(326) Voluntary cancellation of registration. A registrant may cancel an application for IRP registration if the registrant notifies the vehicle and motor carrier services bureau within 15 days of the invoice date. The notice shall state the reason for cancellation, the licensing status and ownership and be signed by the registrant or its representative. If notice is not received within 15 days or if a temporary evidence of apportioned registration was issued in accordance with 761—500.9(326), all registration fees must be paid in full.

This rule is intended to implement Iowa Code sections 326.6 and 326.11.
[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.12(326) Policy on registration credit. If a vehicle is deleted from the IRP fleet and replaced with another vehicle, registration credit may be applied to IRP fees due on the replacement vehicle. The vehicle schedule identifying the added and deleted vehicles must be submitted to the vehicle and motor carrier services bureau. The deletion must take place on or before the effective date of the replacement vehicle's registration. Allowance for credit of deleted vehicles shall be subject to the conditions set forth in Iowa Code section 326.12.

This rule is intended to implement Iowa Code section 326.12.
[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.13(326) Penalty for late filing of vehicle schedule.

500.13(1) As provided in Iowa Code sections 326.14 and 326.16, a late filing penalty of 5 percent shall be assessed to the vehicle if a vehicle schedule is not filed within 30 days of:

- a. The purchase of a new or used vehicle;
- b. The date a vehicle is brought across state borders into Iowa to be registered; or
- c. A vehicle being first operated with the exemption allowed under Iowa Code section 321.20A.

500.13(2) An additional penalty shall be assessed on the first of each month thereafter until the vehicle schedule is filed.

500.13(3) The department may collect intrastate registration fees and penalties when registering a delinquent vehicle to bring the vehicle fees current before allowing the IRP registration of the vehicle.

This rule is intended to implement Iowa Code sections 321.20A, 326.11, 326.14 and 326.16.
[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.14(326) Renewal and vehicle schedule late payment penalty. Rescinded ARC 5494C, IAB 3/10/21, effective 4/14/21.

761—500.15(321) Deadline for payment of first-half fee. Rescinded ARC 5494C, IAB 3/10/21, effective 4/14/21.

761—500.16(321,326) Second-half late payment penalty. Rescinded ARC 5494C, IAB 3/10/21, effective 4/14/21.

761—500.17(326) Duplicate credentials. The fees for duplicate credentials are as follows:

500.17(1) A replacement cab card is \$3.

500.17(2) A replacement plate including the cab card is \$8.

500.17(3) If applicable, a mailing fee will also be assessed based on the number of plates or cab cards being issued.

This rule is intended to implement Iowa Code section 326.22.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.18(326) Suspension for nonpayment of registration fees. Rescinded ARC 5494C, IAB 3/10/21, effective 4/14/21.

761—500.19(326) Suspension of registration if payment is dishonored by a financial institution. Rescinded ARC 5494C, IAB 3/10/21, effective 4/14/21.

761—500.20(326) Making claim for refund. A refund of Iowa fees previously paid for the registration of vehicles may be made in accordance with Iowa Code sections 321.126, 321.127, 321.129 and 326.15. A claim for refund form may be obtained from the vehicle and motor carrier services bureau. In lieu of returning the plates, a qualified registrant may submit a self-certification of IRP credential destruction on or before the vehicle's deletion date to the vehicle and motor carrier services bureau.

This rule is intended to implement Iowa Code sections 321.126, 321.127, 321.129 and 326.15.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.21(326) Registration expiration and enforcement dates. Rescinded ARC 5494C, IAB 3/10/21, effective 4/14/21.

761—500.22(326) Registration of vehicles with non-Iowa titles. Registrants applying for registration for non-Iowa titled vehicles shall submit to the vehicle and motor carrier services bureau with the application or payment as specified in rule 761—500.7(326) either a copy of the non-Iowa title or a copy of the title application if the title has not been issued. If a jurisdiction does not issue titles, a copy of the bill of sale or a copy of the Canadian registration shall accompany the application or payment.

This rule is intended to implement Iowa Code section 326.11.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.23(326) Record retention.

500.23(1) Record retention requirement and penalty. Iowa IRP registrants shall preserve the records upon which their registration is based as required by the IRP for the current registration year and the three preceding registration years. On request, the registrant shall make such records available for audit. The department may assess a penalty upon registrants who have failed to maintain proper records.

500.23(2) Adequacy of records. The records maintained by a registrant shall be adequate to enable the department to verify the distances reported in the registrant's application for apportioned registration and to evaluate the accuracy of the registrant's distance accounting system. The records may be produced through any means and retained in any format or medium available to the registrant and accessible by the department.

a. The following records produced by a means other than a vehicle-tracking system shall be considered adequate:

- (1) The beginning and ending dates of the trip to which the records pertain.
- (2) The origin and destination of the trip.
- (3) The route of travel.
- (4) The beginning and ending reading from the odometer, hubodometer, engine control module (ECM), or any similar device for the trip.
- (5) The total distance of the trip.
- (6) The distance traveled in each jurisdiction.
- (7) The vehicle identification number or vehicle unit number.

b. The following records produced wholly or partly by a vehicle-tracking system, including a system based on a global positioning system (GPS) shall be considered adequate under this subrule:

- (1) The original GPS or other location data for the vehicle to which the records pertain.
- (2) The date and time of each GPS reading or other system reading.
- (3) The location of each GPS reading or other system reading.
- (4) The beginning and ending reading from the odometer, hubodometer, engine control module (ECM), or any similar device for the period to which the records pertain.
- (5) The calculated distance between each GPS reading or other system reading.
- (6) The route of the vehicle's travel.
- (7) The total distance traveled by the vehicle.
- (8) The distance traveled in each jurisdiction.
- (9) The vehicle identification number or vehicle unit number.

500.23(3) Summaries. The following summaries shall be maintained:

a. A summary of the fleet's operations of each month, which includes both the full distance traveled by each apportioned vehicle in the fleet during the calendar month and the distance traveled in the month by each apportioned vehicle in each jurisdiction.

b. A summary of the fleet's operations for each calendar quarter, which includes both the full distance traveled by vehicles in the fleet during the calendar quarter and the distance traveled in each jurisdiction by the vehicles in the fleet during the calendar quarter.

This rule is intended to implement Iowa Code section 326.19A.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.24(326) Trip permits. The registrants may meet the registration requirements of Iowa Code chapter 326 by operating under a trip permit. However, moves that are intrastate or exceed legal dimensions or weight and operate under permit as specified in Iowa Code chapter 321E shall not be allowed.

500.24(1) Trip permits may be obtained through the department's website, by mail, or in person from the vehicle and motor carrier services bureau. Such requests shall include the appropriate permit fee remittance.

500.24(2) Registrants purchasing trip permits in advance of use may not return unused permits for a refund.

This rule is intended to implement Iowa Code sections 326.23 and 326.46.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

761—500.25(326) Electronic information. To the greatest extent possible, the vehicle and motor carrier services bureau shall maintain in electronic form all records required under this chapter. The retention period for electronic records must follow the guidelines of the IRP.

500.25(1) IRP vehicle transaction. The vehicle and motor carrier services bureau shall destroy paper copies of IRP vehicle transaction requests 90 days after the IRP invoice is generated.

500.25(2) Federal heavy use tax (Form 2290 Schedule 1). The vehicle and motor carrier services bureau shall maintain Form 2290 Schedule 1 in accordance with 23 CFR Section 669.9.

This rule is intended to implement Iowa Code section 326.33.

[ARC 5494C, IAB 3/10/21, effective 4/14/21]

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¹ Effective date of 500.1, definition of “Power unit,” 500.2, 500.3(1), 500.3(3), introductory paragraph, 500.3(3) “a” and “c,” 500.3(4) “a,” introductory paragraph, 500.3(4) “c,” 500.3(5) “a,” introductory paragraph, 500.3(5) “a”(2), 500.3(5) “b”(2), 500.3(6), 500.6 to 500.9, 500.11, 500.12, 500.14, 500.17, 500.20, June 2, 1993, delayed 70 days by the Administrative Rules Review Committee at its meeting held May 12, 1993; delay lifted by this Committee June 8, 1993, effective June 9, 1993.